

RESOLUTION NO. BOAC-10-5-06

A RESOLUTION OF THE BOARD OF AVIATION
COMMISSIONERS OF HAMILTON COUNTY

WHEREAS, the Board of Aviation Commissioners of Hamilton County ("the Board"), was established on the 3rd day of March, 1999, by the Hamilton County Council by the passage of Ordinance No. 3-3-99A ("the Previous Ordinance"); and,

WHEREAS, the incumbent Board of Aviation Commissioners has continued to operate pursuant to the terms of the Previous Ordinance; and,

WHEREAS, the Board, acting on behalf of Hamilton County, has acquired approximately five hundred twenty-five (525) acres of land in Union Township, Boone County, Indiana, which was formerly used for the Terry Airport, now known as the Indianapolis Executive Airport ("the Airport"); and,

WHEREAS, the Airport continues to prosper and grow at an unprecedented rate; and,

WHEREAS, it is the goal of the Board to continue steady, managed growth of the facilities at the Airport and to continue to serve the economic development and general aviation needs of Hamilton County and Boone County; and,

WHEREAS, the interests of Hamilton County relating to general aviation will be best served by the creation of the Hamilton County Aviation Authority ("the Authority"), pursuant to Indiana Code 8-22-3, and the transfer of all assets and duties from the Board to the Authority.

IT IS THEREBY RESOLVED by the Board of Aviation Commissioners of Hamilton County as follows:

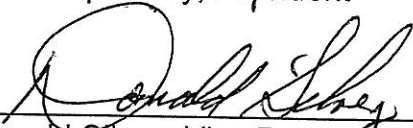
1. The Board hereby requests the Hamilton County Council to create the Authority, pursuant to Indiana Code 8-22-3, effective January 1, 2007.

2. The Board further requests authority from the Hamilton County Council to transfer all assets held by this Board to the Authority, including, but not limited to all real estate, contracts, leases, operating agreements, grants, budgets, appropriations, and all other assets, tangible or intangible presently held by the Board.
3. Effective with the creation of the Authority, this Board requests that the Board of Commissioners appoint each member of the Board of Aviation Commissioners to the Board of Aviation Authority.
4. The undersigned members of the Board agree to resign as members of the Board upon assignment of all assets of the Board to the Authority pursuant to Indiana Code 8-22-3-33. All members of the Board ~~may~~ waive any claim they have to continue as a member of the Board of Aviation Commissioners.
5. The Board acknowledges that any budget, tax levy, or bonds of the Authority must be approved by the Hamilton County Council as a fiscal body of Hamilton County, pursuant to Indiana Code 8-22-3-16(b)1; Indiana Code 8-22-3-18.1; and Indiana Code 8-22-3-23.
6. The Board further requests that the Ordinance creating the Authority establish a Board of the Authority of the five (5) members pursuant to Indiana Code 8-22-3-4(g).

ALL OF WHICH IS RESOLVED by this Board on this 5th day of October, 2006.

HAMILTON COUNTY AVIATION BOARD


Tom Kapostasy, President

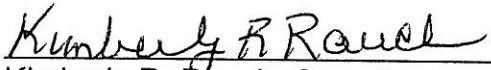

Donald Silvey, Vice President


Timothy P. Tolson


Theodore Moran


Arden Johnson

ATTEST:


Kimberly R. Rauch, Secretary